

GOLDBERG KOHN LTD.

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October 20, 2010

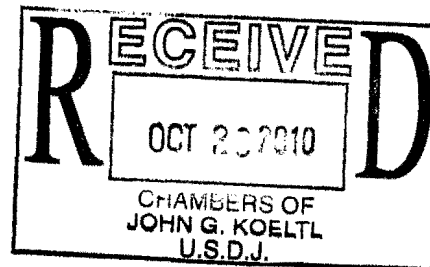
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The Honorable John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312



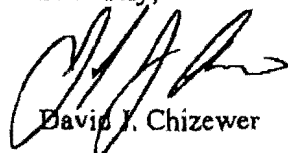
Re: Lori Jo Vincent, et al. v. The Money Store, et al.
Case No. 03 CIV 2876 (JGK)

Dear Judge Koeltl:

As Your Honor knows, this firm represents Moss Codilis in the above-referenced case. On October 5, 2010, Your Honor issued an Order requiring Defendants to file their Answers to Plaintiffs' First Amended Complaint by October 19, 2010. Upon reviewing this Order, I realized that Plaintiffs never actually filed their First Amended Complaint and, therefore, I promptly called Plaintiffs' counsel and asked that they file it. Plaintiffs' counsel apparently did so late yesterday, the same day the Answer to that Complaint was due. As required by Local Rule, Plaintiffs filed their First Amended Complaint manually, and it has not yet been recorded on the electronic docket.

In accordance with the Court's Order, Moss Codilis timely served its Answer and Affirmative Defenses to Plaintiffs' First Amended Complaint ("Answer") yesterday and also informed Plaintiffs' counsel that it intended to move for summary judgment on all claims. However, in order to (a) preserve the proper chronology of pleadings on the electronic docket; and (b) create the appropriate electronic link for the Answer on the docket, Moss Codilis made the decision to delay the actual filing of its Answer and is waiting until Plaintiffs' First Amended Complaint is actually registered on the electronic docket. If Your Honor would prefer that Moss Codilis take a different course, please let us know.

Sincerely,


David J. Chizewer

DJC/dmo

cc: Paul S. Grobman, Esq. (via email)
Kenneth F. McCallion, Esq. (via email)
W. Hans Kobelt, Esq. (via email)
Daniel A. Pollack, Esq. (via email)
Thomas P. Battistoni, Esq. (via email)

This procedure is acceptable. The Court appreciates counsel bringing this to the Court's attention. So ordered. 10/20/10. [Signature]